

JEAN L. BENNETT
THE FIVE PLATTERS, INC.
PERSONALITY PRODUCTIONS, INC.
1450 Comstock Drive
Las Vegas, NV 89106
(702) 648-3514
(702) 648-2913 (fax)
Defendants in Proper Person

2010 DEC -3 P 2:41
CLERK OF COURT
CLERK OF COURT

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

HERB REED ENTERPRISES, INC.
A Delaware company; HERB REED
ENTERPRISES, LLC., A Massachusetts
Company; and HERBERT REED, an individual,

CASE NO: 2:10-CV-1981

**ANSWER TO COMPLAINT
FOR DAMAGES, DECLARATORY
AND INJUNCTIVE RELIEF**

Plaintiffs,

v.

JEAN BENNETT, an individual,
FIVE PLATTERS, INC., a California corporation;
and PERSONALITY PRODUCTIONS, INC.,
A Nevada corporation,

COMES NOW, JEAN BENNETT, THE FIVE PLATTERS, INC., and PERSONALITY
PRODUCTIONS, INC., and files this Answer to Complaint for Damages, Declaratory and
Injunctive Relief as follows:

1. Defendants admit items 3, 5, 6, 7, 8, 9, 10, 18, 19, 23, 29, 30 (as to the stipulation); 35,
39, 40 (as to the determination that Reed did not have exclusive rights in "The Platters" mark,
but not the portion which reserves a final determination); 48, 49, 50, and 67 of Plaintiff's
Complaint.

2. Defendants deny items 1, 2, 4, 11, 12, 13, 14, 17, 20, 21, 22, 24, 25, 26, 27, 28, 31, 32, 33, 34, 36, 37, 38, 41, 42, 43, 44, 45, 46, 53, 54, 55, 56, 57, 60, 61, 62, 64, 65, 66, 68, 69, 70, 71, 73, 74, 76, 77, 78, 79, 81 83, 84, and 85 of Plaintiff's Complaint.

3. Defendants can neither admit nor deny the following items due to lack of knowledge or belief in this matter: 15, 16, 47, 51, 52, 58, 59, and 75 of Plaintiff's complaint.

Dated this ____ day of _____, 2010.

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AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The answering Defendants allege that the Complaint and each and every claim for relief stated herein fails to state facts sufficient to constitute a claim for relief, or any claim for relief, as against the answering defendants.

SECOND AFFIRMATIVE DEFENSE

The liability, if any, of this answering Defendants must be reduced by the percentage of fault of others, including, but not limited to, Plaintiffs.

THIRD AFFIRMATIVE DEFENSE

The answering defendants are informed and believe and thereon allege that plaintiffs alleged damages, if any, were and are, wholly or partially, contributed or proximately caused by Plaintiff's carelessness, recklessness, negligence or fault, thus barring or diminishing plaintiff's recovery herein.

FOURTH AFFIRMATIVE DEFENSE

The answering defendants are informed and believes and thereon alleges that if plaintiff herein suffered or sustained any loss, injury, damage or detriment, the same was directly and proximately caused and contributed to by plaintiff's conduct, acts, omissions, activities, carelessness, recklessness, negligence, and/or intentional misconduct, thereby completely or partially barring plaintiffs recovery herein.

FIFTH AFFIRMATIVE DEFENSE

The answering defendants are informed and believe and thereon allege that as to each alleged claim for relief, plaintiff has failed, refused and neglected to take reasonable steps to mitigate its alleged damages, if any, thus barring or diminishing plaintiffs recovery herein.

SIXTH AFFIRMATIVE DEFENSE

The Plaintiffs' claims for damages are barred as a result of the failure to satisfy conditions precedent.

SEVENTH AFFIRMATIVE DEFENSE

It may become necessary for the answering Defendants to retain counsel to defend this action, and Defendants should be entitled to an award of reasonable attorney's fees.

EIGHTH AFFIRMATIVE DEFENSE

The claims of Plaintiffs have been waived as a result of the acts and conduct of the Plaintiff and, therefore, Plaintiff is stopped from asserting its claims for damages against the answering Defendants.

NINTH AFFIRMATIVE DEFENSE

That by virtue of the conduct of the Plaintiffs, or their authorized representatives and agents, and/or by virtue of their own omission to act under the circumstances, the Plaintiffs are barred from any recovery by virtue of their bad faith and unclean hands.

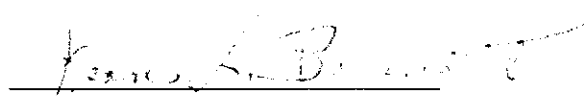
TENTH AFFIRMATIVE DEFENSE

The Plaintiffs has failed to mitigate its damages, if any in fact exist or were incurred, the existence of which is expressly denied.

ELEVENTH AFFIRMATIVE DEFENSE

Any allegation not otherwise responded to is generally and specifically denied.

Dated this 20th day of January 2010.


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